

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE

In re: Specialty Products Holding Corp., et al.

Specialty Products Holding Corp. &	:	
Bondex International Inc.,	:	
	:	
Appellant,	:	
	:	
v.	:	C. A. No. 13-1244-SLR
	:	Bankruptcy Case No. 10-11780 (JKF)
Official Committee of Asbestos Personal	:	AP No. 13-56
Injury Claimants, et al.,	:	
	:	
Appellees.	:	

In re: Specialty Products Holding Corp., et al.

RPM International Inc.,	:	
	:	
Appellant,	:	
	:	
v.	:	C. A. No. 13-1245-SLR
	:	Bankruptcy Case No. 10-11780 (PJW)
Official Committee of Asbestos Personal	:	AP No. 13-59
Injury Claimants, et al.,	:	
	:	
Appellees.	:	

RECOMMENDATION

At Wilmington this **28th** day of **August , 2013**.

WHEREAS, pursuant to paragraph 2(a) of the Procedures to Govern Mediation of Appeals from the United States Bankruptcy Court for this District dated September 11, 2012, the court conducted an initial review, which included information from counsel, to determine the appropriateness of mediation in these matters;

WHEREAS, as a result of the above screening process, the issues involved in these cases are not amenable to mediation and mediation at this stage would not be a productive exercise, a worthwhile use of judicial resources nor warrant the expense of the process.

THEREFORE, IT IS RECOMMENDED as follows that:

1. Pursuant to paragraph 2(a) Procedures to Govern Mediation of Appeals from the United States Bankruptcy Court for this District and 28 U.S.C. § 636(b), these matters be withdrawn from the mandatory referral for mediation and proceed through the appellate process of this Court.

2. Because of the relationship between the above-captioned matters and the matter of *Speciality Products Holding Corp., et. al. v. Official Committee of Asbestos Personal Injury Claimants, et. al.*, C.A. No. 13-194-SLR, in which Appellees' motion to dismiss the appeals is pending, at the parties' request, that these three matters be consolidated.

3. In light of the Appellees' motion to dismiss the Appeals and Appellants' motions requesting their Appeals be certified pursuant to 28 U.S.C. § 158(d)(2) for direct review by the Third Circuit, the parties jointly request that briefing for the filing of merits briefing be deferred pending resolution of the aforementioned motions.

The parties will not be filing objections to this Recommendation pursuant to 28 U.S.C. § 636(b)(1)(B), FED. R. CIV. P. 72(a) and D. DEL. LR 72.1.

Local counsel are obligated to inform out-of-state counsel of this Order.

/s/ Mary Pat Thyng
UNITED STATES MAGISTRATE JUDGE